

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SMITH & NEPHEW, INC, and JOHN O.
HAYHURST, M.D.,

Plaintiffs,

v.

ARTHREX, INC.,

Defendant.

Case No. CV04-0029-MO

JUDGMENT

PATENT CASE

~~PROPOSED~~ JUDGMENT

This action came before the Court for a trial by jury. At the conclusion of the evidence, the jury returned a verdict in favor of Plaintiffs, Smith & Nephew, Inc. and John O. Hayhurst, M.D. Defendant, Arthrex, Inc. made a motion for judgment as a matter of law. (See D.I. 973).

This Court granted Defendant's Renewed Motion for Judgment as a Matter of Law, in part, and denied it in part, for the reasons stated on the record. (D.I. 1034, 1035). In accordance with that ruling and pursuant to Rule 58 of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED AND ADJUDGED that judgment be and is entered in favor of Defendant Arthrex, Inc. and against Plaintiffs Smith & Nephew, Inc. and John O. Hayhurst, M.D.. Therefore, Plaintiffs shall take nothing from its claims against Defendant Arthrex, Inc. Costs shall be taxed against Plaintiffs, the application for which is to be made within fourteen (14) days from the entry of this Judgment.

DATED: 9 Feb 2012


UNITED STATES DISTRICT JUDGE